



CITY OF MORGAN HILL

**CITY COUNCIL
MORGAN HILL REDEVELOPMENT AGENCY**

COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

COUNCIL MEMBERS

Dennis Kennedy, Mayor
Greg Sellers, Mayor Pro Tempore
Hedy L. Chang, Council Member
Steve Tate, Council Member
Larry Carr, Council Member

REDEVELOPMENT AGENCY

Dennis Kennedy, Chair
Larry Carr, Vice-Chair
Hedy L. Chang, Agency Member
Steve Tate, Agency Member
Greg Sellers, Agency Member

WEDNESDAY, JANUARY 17, 2001

AGENDA

JOINT MEETING

CITY COUNCIL REGULAR MEETING

and

REDEVELOPMENT AGENCY SPECIAL MEETING

7:00 P.M.

CALL TO ORDER

(Mayor/Chair Kennedy)

ROLL CALL ATTENDANCE

(City Clerk/Agency Secretary Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(City Clerk/Agency Secretary Torrez)

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORT

Mayor Pro Tem Sellers

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND PRESENT IT TO THE CITY CLERK.

(See notice attached to the end of this agenda.)

PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE CITY CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY COUNCIL/REDEVELOPMENT AGENCY.

City Council Action

CONSENT CALENDAR:

The Consent Calendar, Agenda Items #1 through #7 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time

Estimate

Page

Consent Calendar: 1 - 10 Minutes

1. **DECEMBER 2000 FINANCE AND INVESTMENT REPORT** 1
Recommended Action(s): Accept and file report.
2. **JULY FOURTH FIREWORKS** 27
Recommended Action(s): Accept Report Regarding the Location of July Fourth Fireworks for 2001.
3. **REPORT ON INTERIM SKATE PARK** 29
Recommended Action(s): Informational Report Only.
4. **APPROVE FUNDING FOR THE REPLACEMENT OF INCANDESCENT TRAFFIC SIGNAL LIGHTS WITH LIGHT EMITTING DIODE TRAFFIC SIGNAL LIGHTS AND ADOPTION OF RESOLUTION AUTHORIZING THE CITY TO APPLY FOR GRANT FUNDING** 35
Recommended Action(s):
 1. **Approve** Funding in the Amount of \$68,965 for the Replacement of Incandescent Traffic Signal Lights with Light Emitting Diode (LED) Traffic Signal Lights from Our Unappropriated Street Fund Balance, and

2. **Adopt** Resolution No. 5449 Executing an Agreement with the California Energy Commission for the Application and Execution of a Grant That Will Reimburse the City for a Portion of the Cost of the LED Traffic Signal Lights.

5. **SANTA CLARA COUNTY HOUSING AND COMMUNITY DEVELOPMENT COUNCIL COMMITTEE** 43
Recommended Action(s): **Appointment** of Arlene Greenberg to the Housing and Community Development Council Committee.

6. **APPOINTMENT TO MOBILE HOME RENT COMMISSION** 45
Recommended Action(s):
 1. **Appointment** of Gloria Subocz to the Mobile Home Rent Commission for a Term Expiring June 1, 2002 and
 2. **Direct** Staff to Continue Soliciting Applicants to Fill the Representative/Advocate of the Mobile Home Park Owners' Vacancy.

7. **SUBDIVISION APPLICATION SD-00-13: E. DUNNE TROVARE** 49
Recommended Action(s): **Take No Action**, Thereby Concurring with the Planning Commission's Decision Regarding Approval of the Subdivision Map.

City Council and Redevelopment Action

PUBLIC HEARINGS:

	Time Estimate		Page
8.	30 minutes	<u>SOUTH COUNTY JUSTICE CENTER AGREEMENT</u> 77 <u>Recommended Action(s):</u> Request staff presentation. Public Hearing opened. Please limit your remarks to 3 minutes. Public Hearing closed. Council/Redevelopment Agency discussion. <u>City Council Action:</u> Action - <u>Motion to Adopt</u> Resolution No. 5450 Authorizing Payment by the Morgan Hill Redevelopment Agency for All of the Value of the Land for and Part of the Cost of the Installation and Construction of County Courthouse Improvements. <u>Redevelopment Agency Action:</u> Action - <u>Motion to Adopt</u> Resolution No. MHRA-229 Authorizing Payment by the Agency for All of the Value of the Land for and Part of the Cost of the Installation and Construction of County Courthouse Improvements. Action - <u>Motion to Direct</u> the City Manager/Executive Director to Implement the Resolutions Including the Execution of Legal Documents and Appropriation of \$5.2 Million from the Agency's Non-housing Fund Balance.	

City Council Action

PUBLIC HEARINGS:

	Time Estimate		Page
9.	5 minutes	<u>ZONING AMENDMENT APPLICATION, ZA-00-06: COCHRANE - LUPINE</u> <u>Recommended Action(s):</u> Request staff presentation. Public Hearing opened. Please limit your remarks to 3 minutes. Public Hearing closed. Council discussion. Action - <u>Motion to Approve</u> Mitigated Negative Declaration. Action- <u>Motion to Waive</u> the Reading in Full of Ordinance No. 1501, N.S. Approving the Rezoning; <u>Motion to Introduce</u> the Ordinance by Title Only.	101
10.	7 minutes	<u>ZONING AMENDMENT AND DEVELOPMENT AGREEMENT APPLICATIONS:</u> <u>ZA-00-11 & DA-00-07: E. DUNNE - TROVARE</u> <u>Recommended Action(s):</u> Request staff presentation. Public Hearing opened. Please limit your remarks to 3 minutes. Public Hearing closed. Council discussion. Action - <u>Motion to Approve</u> Mitigated Negative Declaration. Action- <u>Motion to Waive</u> the Reading in Full of Ordinance No. 1502, N.S., Approving the Residential Planned Development (RPD); <u>Motion to Introduce</u> the Ordinance by Title Only. Action- <u>Motion to Waive</u> the Reading in Full of Ordinance No. 1503, N.S., Approving the Development Agreement (DA); <u>Motion to Introduce</u> the Ordinance by Title Only.	125
11.	15 Minutes	<u>ORDINANCE ESTABLISHING AN ARCHITECTURAL AND SITE REVIEW</u> <u>BOARD (ARB)</u> <u>Recommended Action(s):</u> Request staff presentation. Public Hearing opened. Please limit your remarks to 3 minutes. Public Hearing closed. Council discussion. Action- <u>Motion to Waive</u> the Reading in Full of Ordinance No. 1495, N.S., Approving the Municipal Code Amendments. <u>Motion to Introduce</u> the Ordinance by Title Only. Action- <u>Motion to Authorize</u> the City Clerk to Advertise and Recruit Applicants for the ARB.	163

OTHER BUSINESS:

	Time Estimate		Page
12.	30 minutes	<u>PARKS, FACILITIES AND RECREATION PROGRAMMING AND BIKEWAYS MASTER PLANS</u>	185
		Recommended Action(s): <u>Review</u> Draft Master Plans for Parks, Facilities and Recreation Programming and Bikeways, <u>Direct</u> Staff to Make Revisions as Necessary, and <u>Direct</u> Staff to Proceed to Environmental Review of Both Plans Concurrent with the General Plan Environmental Review.	
13.	10 minutes	<u>REVIEW OF THE DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE US 101 WIDENING PROJECT</u>	187
		Recommended Action(s):	
		1. <u>Receive</u> Public Comments on the Draft EIR, and	
		2. <u>Authorize</u> the Mayor to Sign the Letter to the Santa Clara Valley Transportation Agency Acknowledging Receipt of the Draft EIR and Expressing the City's Support for Project Alternative 2, the Eight Lane Project.	
14.	15 minutes	<u>ANIMAL CONTROL PROPOSALS</u>	191
		Recommended Action(s):	
		1. <u>Review</u> Proposals to enhance Animal Control Services, and	
		2. <u>Direct</u> Staff to Implement One or More of These Proposals and Draft Implementing Ordinances as Needed.	
		3.	
 <u>SECOND READING OF ORDINANCE:</u> Full Reading Waived By Majority Vote. (Government Code Section 36934) Action -- <u>Adopt</u> Ordinance by roll call vote.			
15.	1 minute	<u>ADOPT ORDINANCE NO. 1496, NEW SERIES</u>	219
		An Ordinance of The City Council of The City of Morgan Hill Approving a Development Agreement with Morgan Hill Development Partners, LLP for the Morgan Hill Ranch Business Park.	
16.	1 minute	<u>ADOPT ORDINANCE NO. 1497, NEW SERIES</u>	223
		An Ordinance of The City Council of The City of Morgan Hill Approving a Development Agreement with TBI - Mission West, LLC for the Madrone Business Park.	

City Council & Redevelopment Agency Action

CONSENT CALENDAR:

The Consent Calendar, Agenda Items #17 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time
Estimate
Consent Calendar: 1 - 10 Minutes

Page

17.	<u>APPROVAL OF JOINT SPECIAL CITY COUNCIL AND REDEVELOPMENT AGENCY MEETING MINUTES OF JANUARY 10, 2001.</u>	227
-----	--	------------

CLOSED SESSION:

Time
Estimate

	1.	
10 minutes	<u>CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION</u>	
	Legal Authority:	Government Code 54956.8 & 54956.9(c) (1 potential case)
	Real Property(ies) involved:	APN 728-31-007 & 008; 25.50 acres located on the southwesterly side of Road (St. Louise Hospital property)
	City Negotiators:	Agency Members; Executive Director; Agency Counsel; and F. Gale Conner, special counsel
	Closed Session Topic:	Potential Litigation
	2.	
10 minutes	<u>CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION & CONFERENCE WITH REAL PROPERTY NEGOTIATOR</u>	
	Legal Authority:	Government Code Section 54956.8 & 54956.9(c)
	Property:	APN 825-06-002, 003, 029, 030; 36.6 acres (Railroad/Maple - Butterfield Retention Basin Site)
	Negotiating Parties:	
	For Property Owners:	Costa Family Partners
	For City:	Director of Public Works; F. Gale Connor; City Manager, City Attorney
	Under Negotiation:	Price and Terms of Payment

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION:

RECONVENE:

CLOSED SESSION ANNOUNCEMENT:

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT